

RECEIPT # 500  
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 MCF ISSUED  
 BY DPTY. CLK. 1-1  
 DATE 7-22-04

UNITED STATES DISTRICT COURT  
 DISTRICT OF MASSACHUSETTS

ROGER E. HUGHES, JR., as Settlement Agent, )

Plaintiff, )

v. )

Civil No. \_\_\_\_\_

MICHAEL G. & KENDRA B. GEORGES, )

Individually and as Trustees of the )

Georges Realty Trust, )

KARA GEORGES HUNTINGTON, )

ERIK M. GEORGES, )

UNITED STATES OF AMERICA, and )

LYNNE F. RILEY, as Chapter 7 Trustee of )

the Bankruptcy Estate of Michael G. Georges, )

Defendants.

**04-11635-NG**  
**COMPLAINT FOR INTERPLEADER**

**MAGISTRATE JUDGE Bailey**

The plaintiff, Roger E. Hughes, Jr., brings this complaint in his capacity as the Settlement Agent for the sale of certain real property by Michael G. Georges and Kendra B. Georges as Trustees of the Georges Realty Trust to certain purchasers, in order (1) to deposit \$131,093.80 ("the funds") with the Court and require the various defendants to interplead their claims to the funds, and (2) to be discharged from liability with respect thereto. For these purposes, the plaintiff alleges as follows:

1. This Court has jurisdiction under 28 U.S.C. § 1331 and/or § 1335 and/or §§ 1340 and 2410.
2. The defendants, Michael G. Georges and Kendra B. Georges reside at 78 Alden Street, Duxbury, Massachusetts 02332, within the jurisdiction of this Court. In addition, Michael G. Georges maintains an office at 440 Plain Street, Marshfield, Massachusetts 02050, within the jurisdiction of this Court, which, on information and belief, is the office of the Georges Realty Trust.

3. The defendant, Kara Georges Huntington, resides at 78 Alden Street, Duxbury, Massachusetts 02332, within the jurisdiction of this Court.
4. The defendant, Erik M. Georges, resides at 96 High Street, Stratham, N.H., 03885.
5. The defendant, United States of America, is subject to the jurisdiction of this Court, having waived its sovereign immunity for this action under 28 U.S.C. § 2410. As required by that provision, the name of the taxpayer whose tax liability created the lien is Georges Realty Trust, Michael G & Kendra B. Georges, Trustees, at 440 Plain Street, Marshfield, Massachussets 02050. The plaintiffs does not know whether notice of the tax lien was filed, but defendant has been served with a notice of levy to enforce the lien, as described below.
6. The defendant, Lynne F. Riley, is the Chapter 7 Trustee for the bankruptcy estate of Michael G. Georges, Case No. 02-13199-CJK, pending in the United States Bankruptcy Court for the District of Massachusetts. Ms. Riley maintains an office (through the firm, Riley & Esher) at 69 Thorndike Street, Cambridge, MA 02141, within the jurisdiction of this Court.
7. On July 20, 2001, the plaintiff, doing business as Hughes & Associates, conducted a settlement of the sale of certain real property located generally at 56 Weston Farm Path, Marshfield, Massachusetts 02050. The sellers were Michael G. Georges and Kendra B. Georges as Trustees of the Georges Realty Trust. A copy of the Settlement Statement is attached to this complaint as Exhibit A.
8. In preparing for the closing, the plaintiff determined that, as a result of notices of federal tax lien recorded against "Michael & Kendra Georges," at the address of the subject property being sold, the plaintiff should require proof that the Internal Revenue Service would not claim that its liens attached to the subject property or else should hold in escrow sufficient

funds to satisfy the recorded tax liens. Accordingly, line 508 of the Settlement Statement shows \$130,093.30 held for "IRS" in case the agency claimed that the lien attached.

9. On October 26, 2001, Michael G. Georges paid to the plaintiff an additional \$1,000 to supplement the escrowed \$130,093.30 to cover interest on the recorded tax liens.

10. On information and belief, on August 27, 2002, Michael G. Georges received a discharge in his bankruptcy case.

11. On September 26, 2002, Michael G. Georges commenced an adversary proceeding (Adv. No. 02-1352) in his bankruptcy case, naming the Settlement Agent (plaintiff in this action) among the defendants, seeking to compel the Settlement Agent to release the escrowed funds to his children, the defendants, Kara Georges Huntington and Erik M. Georges, as the beneficiaries of the Georges Realty Trust. The bankruptcy case adversary complaint also named the United States and the bankruptcy trustee as defendants. The bankruptcy adversary complaint has since been amended to add Kara Georges Huntington and Erik M. Georges as additional plaintiffs. (The United States, which has agreed that Settlement Agent may interplead the funds at issue, has insisted that the Bankruptcy Court is not the proper court for this interpleader action because it would lack jurisdiction to adjudicate the priority or validity of the tax levy for the tax liabilities of the Georges Realty Trust, referred to below.)

12. On July 14, 2004, the plaintiff was served with a Notice of Levy for the tax liabilities of the Georges Realty Trust, Michael G. & Kendra B. Georges, Trustees, demanding that the plaintiff turn over to the IRS the escrowed funds representing the remaining proceeds from the sale of the Weston Farm Pathe property by the Georges Realty Trust. A copy of the Notice of Levy is attached as Exhibit B.

13. Since Michael G. Georges and Kendra B. Georges were the trustees of the Georges Realty Trust and the sellers of the property, the plaintiff is concerned that if he complies with the IRS tax levy, they may assert that he violated some duty owed by him as Settlement Agent to them as trustees.

14. Since Kara Georges Huntington and Erik M. Georges are the beneficiaries of the Georges Realty Trust, and since the trust has expired by its terms, entitling the beneficiaries to the corpus of the trust, the plaintiff is concerned that if he complies with the IRS tax levy, they may assert that he violated some duty owed by him as Settlement Agent to them as beneficiaries of the Georges Realty Trust.

15. Pursuant to 26 U.S.C. § 6332, if the plaintiff fails to comply with the IRS levy, the United States might assert personal liability against him. (The United States has informed plaintiff that it will not assert such liability if the plaintiff interpleads the funds.)

16. The Chapter 7 Trustee, Lynne F. Riley, has not made a claim for the funds but is named as a defendant herein to the extent she may determine to assert a claim to the funds, since she is named as a defendant in the adversary bankruptcy action commenced by Michael M. Georges (although she has not filed an answer or other pleading in that action).

WHEREFORE, the plaintiff prays that this Court accept the deposit of \$131,093.80 (which will be tendered to the Clerk of the Court at the time this complaint is filed), and enter an order discharging the plaintiff from liability with respect to the disposition of said funds, and for such additional relief as hereafter appears just and proper.



ROGER E. HUGHES, JR. *pro se*  
Hughes & Associates  
46 Accord Park Drive  
Norwell, MA 02061  
(781-681-5100)  
BBO #243460

EXHIBIT "A"

## B. Type of Loan

FHA 2  FmHA 3  Conv. Unins  
 VA 5  Conv. Ins

6. File Number  
C01-1543

7. Loan Number

8. Mortgage Insurance Case Number

C. Note: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(P.O.C.)" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.

D. Name/Address of Borrower: Richard A. McManus, Jr. and Kellie E. McManus  
56 Weston Farm Path, Marshfield, Massachusetts 02050

## E. Name and Address of Seller:

Michael G. George, Trustee of Georges Realty Trust and Kendra B. Georges, Trustee of Georges Realty Trust

F. Name and Address of Lender: Mortgage Financial Services, Inc.

36 Commerce Way, Woburn, Massachusetts 01801

G. Property Location: 56 Weston Farm Path, Marshfield, Massachusetts 02050

H. Settlement Agent: Hughes &amp; Associates

Agent's Address: 46 Accord Park Drive, Norwell, Massachusetts 02061

Place of Settlement: 46 Accord Park Drive, Norwell, Massachusetts 02061

I. Settlement Date 07/20/2001

J. Summary of Borrower's Transaction		K. Summary of Seller's Transaction	
100. Gross Amount Due from Borrower		400. Gross Amount Due To Seller	
101. Contract sales price	\$450,000.00	401. Contract sales price	\$450,000.00
102. Personal property		402. Personal property	
103. Settlement charges to Borrower (line 1400)	\$3,942.97	403.	
104. FY '02 1st qtr RE Tax	\$1,221.49	404.	
105.		405.	
Adjustments for items paid by seller in advance		Adjustments for items paid by seller in advance	
106. City/town taxes		406. City/town taxes	
107. County Tax		407. County Tax	
108. Assessments		408. Assessments	
109.		409.	
110.		410.	
111.		411.	
112.		412.	
120. Gross Amount Due From Borrower	\$455,164.46	420. Gross Amount Due To Seller	\$450,000.00
200. Amounts Paid By Or In Behalf of Borrower		500. Reductions In Amount Due to Seller	
201. Deposit or Earnest Money	\$22,500.00	501. Excess Deposit (see instructions)	
202. Principal Amount of New Loan	\$275,000.00	502. Settlement charges to seller (line 1400)	\$8,067.00
203. Existing Loan(s) taken subject to		503. Existing Loan(s) taken subject to	
204. closing cost credit pd lender	\$2,020.50	504. Bank One	\$198,000.00
205.		505. William J. & Rosemary F. Chase	\$17,627.00
206.		506. Deposit Retained by R.E. Broker	\$22,500.00
207.		507. Thayer Academy	\$29,606.24
208.		508. IRS	\$130,093.80
209.		509. Elizabeth Bone	\$7,200.00
Adjustments for items unpaid by seller		Adjustments for items unpaid by seller	
210. City/town taxes	06/30/01 to 07/20/01	510. City/town taxes	06/30/01 to 07/20/01
211. County Tax		511. County Tax	
212. Assessments		512. Assessments	
213.		513. Water Due	\$547.61
214. Final Water		514. Final Water	\$134.02
215.		515.	
216.		516.	
217.		517.	
218.		518.	
219.		519.	
220. Total Paid By/For Borrower	\$299,922.25	520. Total Reduction Amount Due Seller	\$414,043.40
300. Cash At Settlement From/To Borrower		600. Cash At Settlement To/From Seller	
301. Gross Amount due from Borrower (line 120)	\$455,164.46	601. Gross Amount due to seller (line 420)	\$450,000.00
302. Less amounts paid by/for Borrower (line 220)	\$299,922.25	602. Less reductions in amt due seller (line 520)	\$414,043.40
303. Cash from Borrower	\$155,242.21	603. Cash to Seller	\$35,956.60

We, the undersigned, identified in section D hereof and Seller in section E hereof, hereby acknowledge receipt of this completed Settlement Statement on July 20, 2001.

Borrowers:  
Richard A. McManus, Jr.

Sellers:  
Michael G. George, Trustee  
Georges Realty Trust

Sellers:

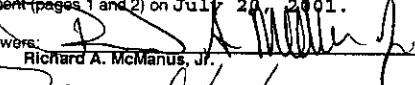
Kellie E. McManus

Kendra B. Georges, Trustee

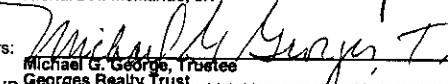
Atty. in fact

<b>700. Total Sales/brokerage commission based on price:</b>				<b>Paid From Borrower's Funds at Settlement</b>	<b>Paid From Sellers Funds at Settlement</b>	
Division of Commission (line 700) as follows:						
701.	\$11,250.00	to MacDonald & Wood Real Estate				
702.	\$11,250.00	to Crescent Realty Group				
703.	Commission paid at Settlement					
704.	Deposit Retained by R.E. Broker	\$22,500.00 poc				
<b>800. Items Payable in Connection With Loan</b>						
801.	Loan Origination Fee	to				
802.	Loan Discount	to				
803.	Appraisal Fee	to				
804.	Credit Report	to				
805.	Lender's Inspection Fee	to				
806.	Mortgage Insurance Application Fee	to				
807.	Assumption Fee	to				
808.	Tax Service Fee	\$215.00 poc	to			
809.	Administrative Fee	\$250.00 poc	to			
810.		to				
811.	OSB Premium	\$5,260.75 poc	to MFSI			
<b>900. Items Required by Lender To Be Paid In Advance</b>						
901.	Interest from 07/20/01 to 08/01/01 @	\$60.2740 /day	12 days		\$723.29	
902.	Mortgage Insurance Premium for	0 months to				
903.	Hazard Insurance Premium for	0 years to				
904.		0 years to				
905.						
<b>1000. Reserves Deposited With Lender</b>						
1001.	Hazard Ins	2 months @	\$43.67 per month		\$87.34	
1002.	Mortgage Ins	months @	per month			
1003.	City Tax	2 months @	\$407.17 per month City/Town of Marshfield, MA		\$814.34	
1004.	County Tax	months @	per month			
1005.	Assessments	months @	per month			
1006.		months @	per month			
1007.		months @	per month			
1008.	Aggregate Adjustment				\$0.00	
<b>1100. Title Charges</b>						
1101.	Settlement/Closing Fee	to				
1102.	Abstract/Title Search	to				
1103.	Title examination	to				
1104.	Title Insurance binder	to				
1105.	Document preparation	to Hughes & Associates				
1106.	Notary fees	to				
1107.	Attorney's Fees	to Hughes & Associates			\$550.00	
(includes above line numbers)						
1108.	Title Insurance	to Lawyers Title Insurance Corporation			\$1,450.00	
(includes above line numbers)						
1109.	Lender's coverage	\$275,000.00 @ \$687.50	\$1,015.00 to Hughes & Associates			
1110.	Owner's coverage	\$450,000.00 @ \$762.50	\$435.00 to Lawyers Title Insurance Corporation			
1111.	record Cert. of Compliance	to				
1112.	record trustee cert	to			\$31.00	
1113.	obtain Mortgage Discharge				\$200.00	
<b>1200. Government Recording and Transfer Charges</b>						
1201.	Recording Fees:	Deed	\$46.00 Mfg	\$55.00 Rls \$124.00	\$101.00	\$124.00
1202.	City/county tax/stamps:	Deed	\$0.00 Mfg	\$0.00		
1203.	State tax/stamps:	Deed	\$2,052.00 Mfg	\$0.00		\$2,052.00
1204.	Obtain and record MLC	to			\$40.00	
1205.	record Assignment	to			\$32.00	
<b>1300. Additional Settlement Charges</b>						
1301.	Obtain/Review Survey	to Russell A. Wheatley Co., Inc.			\$125.00	
1302.	Pest Inspection	to				
1303.	Federal Express	to			\$20.00	\$60.00
1304.	Attorney Fee	to Edward G. Boyle, III				\$600.00
1305.	Payment	to Jeffrey Hoffman, Esq.				\$5,000.00
1306.		to				
1307.		to				
1308.		to				
<b>1400. Total Settlement Charges</b>						
						\$3,942.97
						\$8,067.00

We, the undersigned, identified in section D hereof and Seller in section E hereof, hereby acknowledge receipt of this completed Settlement Statement (pages 1 and 2) on July 20, 2001.

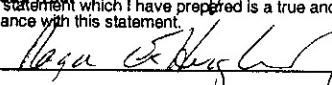
Borrowers:   
Richard A. McManus, Jr.

Kelli E. McManus

Sellers:   
Michael G. George, Trustee  
Georges Realty Trust

Kendra B. Georges by  
Kendra B. Georges, Trustee

The HUD-1 Settlement Statement which I have prepared is a true and accurate account of this transaction. I have caused or will cause funds to be disbursed in accordance with this statement.

Settlement Agent: 

Date: July 20, 2001

Atty in fact

Form 668-A(ICS) (Rev. Jan. 2003)	Department of the Treasury – Internal Revenue Service <b>Notice of Levy</b>
-------------------------------------	--

DATE: July 09, 2004

REPLY TO: Internal Revenue Service  
 Lynette Kucinski  
 166 Main St  
 Brockton, MA 02301

TELEPHONE NUMBER

OF IRS OFFICE: 508-895-8833

TO: Roger Hughes  
 Hughes Associates  
 46 Accord Park Dr.  
 Norwell, MA 02061

NAME AND ADDRESS OF TAXPAYER:

Georges Realty Trust  
 Georges Michael G & Kendra B TTEE  
 440 Plain St  
 Marshfield, MA 02050

IDENTIFYING NUMBER(S): 36-7430688

THIS ISN'T A BILL FOR TAXES YOU OWE. THIS IS A NOTICE OF LEVY WE ARE USING TO COLLECT MONEY OWED BY THE TAXPAYER NAMED ABOVE.

Kind of Tax	Tax Period Ended	Unpaid Balance of Assessment	Statutory Additions	Total
1041	12/31/1990	\$162,810.01	\$838.40	\$163,648.41
1041	12/31/2001	\$100,537.21	\$ 517.72	\$101,054.93
				\$264,703.34

THIS LEVY WON'T ATTACH FUNDS IN IRAs, SELF-EMPLOYED INDIVIDUALS' RETIREMENT PLANS, OR ANY OTHER RETIREMENT PLANS IN YOUR POSSESSION OR CONTROL, UNLESS IT IS SIGNED IN THE BLOCK TO THE RIGHT.=====>

We figured the interest and late payment penalty to 08/23/2004

The Internal Revenue Code provides that there is a lien for the amount that is owed. Although we have given the notice and demand required by the Code, the amount owed hasn't been paid. This levy requires you to turn over to us this person's property and rights to property (such as money, credits, and bank deposits) that you have or which you are already obligated to pay this person. However, don't send us more than the "Total Amount Due."

**Money in banks, credit unions, savings and loans, and similar institutions described in section 408(n) of the Internal Revenue Code must be held for 21 calendar days from the day you receive this levy before you send us the money. Include any interest the person earns during the 21 days. Turn over any other money, property, credits, etc. that you have or are already obligated to pay the taxpayer, when you would have paid it if this person asked for payment.**

Make a reasonable effort to identify all property and rights to property belonging to this person. At a minimum, search your records using the taxpayer's name, address, and identifying numbers(s) shown on this form. Don't offset money this person owes you without contacting us at the telephone number shown above for instructions. You may not subtract a processing fee from the amount you send us.

**To respond to this levy —**

1. Make your check or money order payable to **United States Treasury**.
2. Write the taxpayer's name, identifying number(s), kind of tax and tax period shown on this form, and "LEVY PROCEEDS" on your check or money order (*not on a detachable stub*).
3. Complete the back of Part 3 of this form and mail it to us with your payment in the enclosed envelope.
4. Keep Part 1 of this form for your records and give the taxpayer Part 2 within 2 days.

If you don't owe any money to the taxpayer, please complete the back of Part 3, and mail that part back to us in the enclosed envelope.

Signature of Service Representative

Lynette Kucinski

Title

Revenue Officer

X *Jeanne K. Wainford for*  
 Part 1 *For Addressee Peter Bousnack*

Catalog No. 15704T

Compliance Territory Manager

[www.irs.gov](http://www.irs.gov)

Form 668-A(ICS) (Rev. 1-2003)

**CIVIL COVER SHEET**

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

**I. (a) PLAINTIFFS**

Roger E. Hughes, Jr.

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF  
(EXCEPT IN U.S. PLAINTIFF CASES)

Plymouth

**DEFENDANTS**

Michael G. & Linda B. Georges,  
Kara Georges Washington, Erick M.  
Georges, United States of America  
Lynne F. Riley

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT

Plymouth

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

ATTORNEYS (IF KNOWN)

04-1133-2

**II. BASIS OF JURISDICTION**

(PLACE AN "X" IN ONE BOX ONLY)

- |   |   |
|---|---|
| <input type="checkbox"/> 1 U.S. Government Plaintiff            | <input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)                     |
| <input checked="" type="checkbox"/> 2 U.S. Government Defendant | <input checked="" type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III) |

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)  
(For Diversity Cases Only)

Citizen of This State	PTF	DEF	PTF	DEF
<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

**IV. ORIGIN**

(PLACE AN "X" IN ONE BOX ONLY)

- |   |   |  |   |   |   |  |
|---|---|--|---|---|---|--|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | Transferred from<br><input type="checkbox"/> 5 another district (specify) | <input type="checkbox"/> 6 Multidistrict Litigation | <input type="checkbox"/> 7 Magistrate Judgment |
|---|---|--|---|---|---|--|

Appeal to District Judge from  
Magistrate Judgment

**V. NATURE OF SUIT** (PLACE AN "X" IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> PERSONAL INJURY	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 620 Other Food & Drug	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 430 Banks and Banking	
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 630 Liquor Laws	<input type="checkbox"/> 450 Commerce/ICC Rates/etc	
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 640 R.R. & Truck	<input type="checkbox"/> 460 Deportation	
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 650 Airline Regs.	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations	
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 660 Occupational Safety/Health	<input type="checkbox"/> 810 Selective Service	
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 680 Other	<input type="checkbox"/> 850 Securities/Commodities/Exchange	
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 710 Fair Labor Standards	<input type="checkbox"/> 875 Customer Challenge 12 USC 3410	
<input type="checkbox"/> 180 Other Contract	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 720 Labor/Mgmt. Relations	<input type="checkbox"/> 891 Agricultural Acts	
<input type="checkbox"/> 195 Contract Product Liability		<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act	<input type="checkbox"/> 892 Economic Stabilization Act	
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	SOCIAL SECURITY	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 861 HIA (1395f)	<input type="checkbox"/> 894 Energy Allocation Act	
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 862 Black Lung (823)	<input type="checkbox"/> 895 Freedom of Information Act	
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 863 DWIC/DWIV (405(g))	<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice	
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 950 Constitutionality of State Statutes	
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 446 Other Civil Rights	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 990 Other Statutory Actions	
<input type="checkbox"/> 260 All Other Real Property		<input type="checkbox"/> 740 Railway Labor Act		
		<input type="checkbox"/> 750 Other Labor Litigation	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	
		<input type="checkbox"/> 761 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 871 IRS -- Third Party 28 USC 7609	
			FEDERAL TAX SUITS	

**VI. CAUSE OF ACTION** (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE BRIEF STATEMENT OF CAUSE.  
DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.)

28 USC. 3131, 1335, 1340 and 2410

**VII. REQUESTED IN COMPLAINT:**

CHECK IF THIS IS A CLASS ACTION  
 UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:  
**JURY DEMAND:**  YES  NO

**VIII. RELATED CASE(S)** (See instructions:  
IF ANY)

JUDGE \_\_\_\_\_

DOCKET NUMBER \_\_\_\_\_

DATE

SIGNATURE OF ATTORNEY-OF-RECORD P. S. Hughes

7/22/04

FOR OFFICE USE ONLY

Roger E. Hughes, Jr.

RECEIPT #

AMOUNT

APPLYING IFFP

JUDGE

MAG. JUDGE

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

1. TITLE OF CASE (NAME OF FIRST PARTY ON EACH SIDE ONLY)

Roger E. Hughes, Jr.Michael Georges et al

2. CATEGORY IN WHICH THE CASE BELONGS BASED UPON THE NUMBERED NATURE OF SUIT CODE LISTED ON THE CIVIL COVER SHEET. (SEE LOCAL RULE 40.1(A)(1)).

- I. 160, 410, 470, R.23, REGARDLESS OF NATURE OF SUIT.
- II. 195, 368, 400, 440, 441-444, 540, 550, 555, 625, 710, 720, 730, 740, 790, 791, 820\*, 830\*, 840\*, 850, 890, 892-894, 895, 950. Also complete AO 120 or AO 121 for patent, trademark or copyright cases
- III. 110, 120, 130, 140, 151, 190, 210, 230, 240, 245, 290, 310, 315, 320, 330, 340, 345, 350, 355, 360, 362, 365, 370, 371, 380, 385, 450, 891.
- IV. 220, 422, 423, 430, 460, 510, 530, 610, 620, 630, 640, 650, 660, 690, 810, 861-865, 870, 871, 875, 900
- V. 150, 152, 153.

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3. TITLE AND NUMBER, IF ANY, OF RELATED CASES. (SEE LOCAL RULE 40.1(G)). IF MORE THAN ONE PRIOR RELATED CASE HAS BEEN FILED IN THIS DISTRICT PLEASE INDICATE THE TITLE AND NUMBER OF THE FIRST FILED CASE IN THIS COURT.

4. HAS A PRIOR ACTION BETWEEN THE SAME PARTIES AND BASED ON THE SAME CLAIM EVER BEEN FILED IN THIS COURT?

YES

NO

5. DOES THE COMPLAINT IN THIS CASE QUESTION THE CONSTITUTIONALITY OF AN ACT OF CONGRESS AFFECTING THE PUBLIC INTEREST? (SEE 28 USC §2403)

YES

NO

IF SO, IS THE U.S.A. OR AN OFFICER, AGENT OR EMPLOYEE OF THE U.S. A PARTY?

YES

NO

6. IS THIS CASE REQUIRED TO BE HEARD AND DETERMINED BY A DISTRICT COURT OF THREE JUDGES PURSUANT TO TITLE 28 USC §2284?

YES

NO

7. DO ALL OF THE PARTIES IN THIS ACTION, EXCLUDING GOVERNMENTAL AGENCIES OF THE UNITED STATES AND THE COMMONWEALTH OF MASSACHUSETTS ("GOVERNMENTAL AGENCIES"), RESIDING IN MASSACHUSETTS RESIDE IN THE SAME DIVISION? - (SEE LOCAL RULE 40.1(D)).

YES

NO

A. IF YES, IN WHICH DIVISION DO ALL OF THE NON-GOVERNMENTAL PARTIES RESIDE?

EASTERN DIVISION

CENTRAL DIVISION

WESTERN DIVISION

B. IF NO, IN WHICH DIVISION DO THE MAJORITY OF THE PLAINTIFFS OR THE ONLY PARTIES, EXCLUDING GOVERNMENTAL AGENCIES, RESIDING IN MASSACHUSETTS RESIDE?

EASTERN DIVISION

CENTRAL DIVISION

WESTERN DIVISION

(PLEASE TYPE OR PRINT)

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